The Mysore Gazette.

Vol. 48.] **PUBLISHED BY AUTHORITY.** **[No. 38.**

BANGALORE, THURSDAY, SEPTEMBER 18, 1913.

PART II.

JUDICIAL DEPARTMENT.

IN THE CHIEF COURT OF MYSORE.

Bangalore, dated the 28th August 1913.

The following draft of rules for regulating the practice of the Chief Court, which it is proposed to make in exercise of the powers conferred by Section 122 of the Code of Civil Procedure, 1911, is published as required by the said section for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft rules will be taken into consideration by the Chief Court on or after the 29th September 1913.

Any objection or suggestion which may be received from any person with respect to the draft rules before the date aforesaid will be considered by the Chief Court.

Draft Rules.

In addition to, and not by way of derogation of, all other powers conferred by other rules, the Registrar shall have the following duties and powers :—

1. To require any memorandum of appeal, petition, application, or other proceeding presented to the Court or to the Registrar, to be amended in accordance with the procedure or practice of the Court. Provided that the Registrar shall, when so required, refer the matter to the Court.

2. To admit an appeal from the decree or order of a Civil Court and to determine whether notice shall at once issue to the respondent, or the appeal be posted for hearing under Order XLI, Rule 11 of the Code of Civil Procedure, subject to the following directions :—

(*a*) Every first appeal, and every second appeal setting out one of the grounds specified in Section 100, Civil Procedure Code, shall be admitted if it was presented within the time limited by law, and the proper Court fee has been furnished ;

(*b*) Every appeal so admitted, which alleges an apparently good or arguable ground shall be set down for hearing after notice, and notices shall at once be ordered by the Registrar to issue;

(*c*) When an original or second appeal has been admitted, and in the opinion of the Registrar there is no such ground alleged in the appeal memorandum as would justify his ordering notice to issue, he shall direct such appeal to be posted for hearing under Order XLI, Rule 11 of the Civil Procedure Code;

(*d*) The Registrar may in his discretion direct that a motion for the admission of any particular appeal be made before the Admission Judge.

3. To call for copies of judgment and decree or order of the Court of first instance before admitting a second appeal.

4. To determine whether service of any notice or other process has been duly proved.

5. To require any person or party to file evidence to be given upon affidavit with respect to any application or matter in respect of which he has power to exercise any discretion or to make any order.

6. To make an order appointing or discharging a next friend or guardian *ad litem* to a minor, and for the amendment of the record accordingly.

7. To order the entry on record of the name of the representative of a deceased party.

Provided that in cases coming under clauses (6) and (7), contested applications and applications presented out of time shall be posted before a Judge for disposal.

V. A. RAJARATNA MUDALIAR,
Registrar.

KOLAR DISTRICT.

NOTICE.

It is notified for the information of those whom it may concern, that as required by rule of practice No. 77, dated 7th December 1907, the records of the undermentioned cases have been marked out for destruction and that the parties interested may apply to the Court of the Amildar and 2nd Class Magistrate, Chintamani Taluk, within three months from the date of issue of this notification for the delivery of exhibits filed and grant of copies, after which date the records in question will be destroyed:—

Summons cases, Part I	...	1907-1908
Do II	...	1909-1910
Warrant cases, Part I	...	1891-1892
Do II	...	1909-1910
Miscellaneous cases	...	1909-1910

A. MRITYUNJAYA IYER,
For *District Magistrate.*

TUMKUR DISTRICT.

Notice dated 11th September 1913.

It is hereby notified for general information that the undermentioned amounts are lying undisbursed in this office for over five years:—

	Rs.	a.	p.
1. Balance of pay due to late Police Head Munshi, Abdul Kareem Sab	3	14	10
2. Balance of pay due to acting constable Puttannaiya for June 1907	0	7	6
3. Batta amount due to Ex-Jamadar Balasingh of Kunigal for August 1908	7	12	2
4. Batta amount due to Ex-Constable Mohammed Budan, No. 117 of the District Reserve for January 1906	0	1	6

If the abovementioned amounts are not claimed by the individuals or their legal heirs within three months from the date of this notification, the same will be credited to the Government.

A. HAYES,
Superintendent of Police.